

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LAWRENCE BREEDLOVE)	
)	
Petitioner,)	
vs.)	NO. CIV-16-822-HE
)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

Petitioner Lawrence Breedlove, a state prisoner appearing *pro se*, filed this action pursuant to 28 U.S.C. § 2241 seeking habeas relief. Consistent with 28 U.S.C. §636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Bernard M. Jones, who has recommended that the action be transferred to the United States District Court for the Eastern District of Oklahoma.

Because district courts are limited to granting habeas relief “within their respective jurisdictions,” 28 U.S.C. § 2241(a), the magistrate judge concluded petitioner should have filed his § 2241 petition, which attacks the execution of his sentence, in the Eastern District of Oklahoma where he currently is incarcerated.

No party objected to the Report and Recommendation and they thereby waived their right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C). The court concurs with Magistrate Judge Jones that the petition should be reviewed by the United States District Court for the Eastern District of Oklahoma and that the interests of justice would be furthered

by transferring the action to that judicial district. *See* 28 U.S.C. § 1631.

Accordingly, the court **ADOPTS** the magistrate judge's Report and Recommendation and **TRANSFERS** this case to the Eastern District of Oklahoma.

IT IS SO ORDERED.

Dated this 18th day of August, 2016.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE